

Martin S. Hyman (MH 4131)  
Robin E. Silverman (RS 3066)  
Allyson R. Albert (AA 1330)  
**GOLENBOCK EISEMAN ASSOR BELL & PESKOE LLP**  
*Counsel to Plaintiff Elliot Eisenberg*  
437 Madison Avenue  
New York, New York 10022  
(212) 907-7300

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELLIOT EISENBERG,

Plaintiff,

v.

THE MCGRAW-HILL COMPANIES, INC.

Defendant.

ECF CASE  
Case No. 08-cv-5366 (JGK)

**REPORT OF CONFERENCE  
PURSUANT TO RULE 26(F)**

Pursuant to Fed. R. Civ. P. 26(f), Elliot Eisenberg, ("Plaintiff") and McGraw Hill ("Defendant") held a conference on August 14 and 20, 2008 to, among other things, develop a proposed discovery plan. In accordance with their conference, the parties jointly propose the following plan:

Initial Disclosures: Plaintiff and Defendant will serve initial disclosures pursuant to Fed. R. Civ. P. 26(a) by no later than September 30, 2008.

Discovery Plan: Plaintiff and Defendant have agreed upon the following plan for discovery:

Plaintiff and Defendant will exchange document requests by September 30, 2008.

Plaintiff and Defendant will respond in writing to the document requests by October 30, 2008.

Plaintiff and Defendant will produce documents responsive to the document requests by November 20, 2008.

The fact discovery cut-off shall be March 2, 2009.

Plaintiff will produce expert reports, if any, by April 1, 2009

Defendant will produce expert reports, if any, by May 1, 2009

Expert depositions will be completed by June 1, 2009

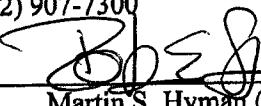
Dispositive Motions: Dispositive motions will be filed by Plaintiff and Defendant by June 26, 2009.

Amendment: The deadlines set forth herein may be extended only by order of the Court for good cause shown.

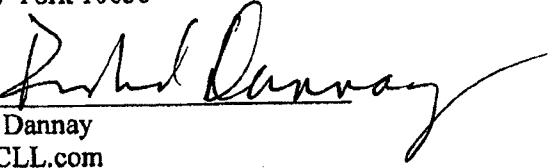
Settlement: The parties discussed settlement. As of the date of this report, no settlement has been negotiated.

Dated: New York, New York  
August 20, 2008

GOLENBOCK EISEMAN ASSOR BELL &  
PESKOE LLP  
*Counsel for Plaintiff Elliot Eisenberg*  
437 Madison Avenue  
New York, New York 10022  
(212) 907-7300

By   
\_\_\_\_\_  
Martin S. Hyman (MH 4131)  
mhyman@golenbock.com  
Robin E. Silverman (RS 3066)  
rsilverman@golenbock.com  
Allyson R. Albert (AA 1330)  
aalbert@golenbock.com

COWAN, LIEBOWITZ & LATMAN, P.C.  
*Counsel for Defendant*  
*The McGraw-Hill Companies, Inc.*  
1133 Avenue of the Americas  
New York, New York 10036  
(212) 790-9200

By   
\_\_\_\_\_  
Richard Dannay  
RXD@CLL.com